IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.314 OF 2007
IN
NOTICE OF MOTION NO.771 OF 2007
IN
SUIT NO.470 OF 2007

Mrs. Jamni S. Ramchandani .... Appellant
Vs.
Associated Bombay Cinemas
Private Limited .... Respondent

WITH

APPEAL NO.315 OF 2007
IN
NOTICE OF MOTION NO.773 OF 2007
IN
SUIT NO.466 OF 2007

Tarika Trade & Investment
Pvt. Ltd. .... Appellant
Vs.
Associated Bombay Cinemas
Pvt. Ltd. .... Respondent

AND

APPEAL NO.316 OF 2007
IN
NOTICE OF MOTION NO.772 OF 2007
IN
SUIT NO.471 OF 2007

Mrs. Sunita Bhagwan Daswani .... Appellant
Vs.
Associated Bombay Cinemas
Pvt. Ltd. .... Respondent

Shri P.K. Samdani, Senior Advocate i/b
M/s. Prakash & Co. for the Appellant
in all the Appeals.

Shri Karl Shroff i/b M/s. Dhruva & Co.
for the Respondent in all the Appeals.

CORAM: R.M.S. KHANDEPARKAR &
D.G. KARNIK, JJ.

DATED: MAY 03, 2007

P.C:

1. Heard. Since common questions of law and facts arise in all these appeals, they were heard together and are being disposed of by this common order.

2. Admit. M/s. Dhruva & Company waives service on behalf of the respondent in all the appeals. By consent, heard forthwith.

3. By consent, the impugned orders are hereby set aside and the matters are remanded to the learned single Judge to dispose of the Notices of Motion Nos.771, 773 and 772 of 2007 on merits, after hearing the parties. Meanwhile, the parties are directed to maintain status quo in relation to the suit premises. We make it clear that we have not expressed any opinion in the matters on merits and all the issues are kept open for appropriate decision by the learned single Judge.

4. Liberty to the parties to move for expeditious disposal of the said notices of motion.

5. The appeals stand disposed of. No order as to costs.

(D.G.Karnik, J.) (R.M.S.Khandeparkar, J.)

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